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OFFICE OF PETITIONS

In re Application of
Brownell, et al.
Application No. 08/869,872
Filed: June 2, 1997
Attorney Docket No.: 13237.1560

ON RENEWED PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b), filed December 12, 2001, to revive the above-identified application.

The application became abandoned on December 26, 2000 for failure to submit a timely and proper reply to the final Office action mailed September 25, 2000. The final Office action set a three (3) month shortened statutory period for reply. No extensions of time for reply in accordance with 37 CFR 1.136(a) were obtained. Notice of Abandonment was mailed May 21, 2001. A petition under 37 CFR 1.137(b) was filed July 2, 2001 and dismissed August 7, 2001.

With the instant renewed petition, petitioner filed a Request for Continued Examination (RCE) under 37 CFR 1.114, along with the required submission and fee. The RCE has been accepted as the required reply under 37 CFR 1.137(b)(1).

Having met all requirements for a grantable petition under 37 CFR 1.137(b), the instant petition for revival is accordingly **GRANTED**.

The decision mailed August 7, 2001 set a two (2) month non-statutory period of time for reply making a response due on or before October 7, 2001. Thus, a three (3) month extension of time is required in connection with the submission of the instant renewed petition. Accordingly, as per the authorization contained in the renewed petition, a three (3) month extension of time in the amount of \$920.00 has been charged to deposit account No. 13-2725.

The application file is being forwarded to Technology Center 2100 for consideration of the submission under 37 CFR 1.114.

There is no indication that petitioner herein was ever empowered

to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted. A courtesy copy of this decision will be mailed to petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-0310.



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